



April 4, 2003

ENGROSSED HOUSE BILL No. 1553

DIGEST OF HB 1553 (Updated April 3, 2003 11:06 AM - DI 102)

Citations Affected: IC 22-1; IC 22-10.

Synopsis: Mine safety. Allows the mining board to assess and collect from underground mine operators an assessment to purchase and maintain underground mine rescue equipment. Establishes the mine safety fund, to be funded by the assessment and to be administered by the commissioner of the department of labor (commissioner). Requires the mining board to report annually to the commissioner concerning any need for additional mine inspectors.

Effective: July 1, 2003.

Liggett, Leonard

(SENATE SPONSORS — WEATHERWAX, HUME)

January 16, 2003, read first time and referred to Committee on Labor and Employment.
February 6, 2003, amended, reported — Do Pass.
February 13, 2003, read second time, amended, ordered engrossed.
February 14, 2003, engrossed.
February 17, 2003, read third time, passed. Yeas 95, nays 0.

SENATE ACTION

February 24, 2003, read first time and referred to Committee on Pensions and Labor.
April 3, 2003, amended, reported favorably — Do Pass.

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EH 1553—LS 7468/DI 97+



April 4, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1553

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 22-1-1-11 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 11. The commissioner
3 of labor is authorized and directed to do the following:

4 (1) To investigate and adopt rules under IC 4-22-2 prescribing
5 what safety devices, safeguards, or other means of protection shall
6 be adopted for the prevention of accidents in every employment
7 or place of employment, to determine what suitable devices,
8 safeguards, or other means of protection for the prevention of
9 industrial accidents or occupational diseases shall be adopted or
10 followed in any or all employments or places of employment, and
11 to adopt rules under IC 4-22-2 applicable to either employers or
12 employees, or both, for the prevention of accidents and the
13 prevention of industrial or occupational diseases.

14 (2) Whenever, in the judgment of the commissioner of labor, any
15 place of employment is not being maintained in a sanitary manner
16 or is being maintained in a manner detrimental to the health of the
17 employees therein, to obtain any necessary technical or expert

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advice and assistance from the state department of health. The state department of health, upon the request of the commissioner of labor, shall furnish technical or expert advice and assistance to the commissioner and take the steps authorized or required by the health laws of the state.

(3) Annually forward the report received from the mining board under IC 22-10-1.5-5(6) to the legislative council and request from the general assembly funding for necessary additional mine inspectors.

(4) Administer the mine safety fund established under IC 22-10-12-16.

SECTION 2. IC 22-10-1.5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. **(a)** The board shall:

(1) execute and administer the laws of this state concerning coal mines;

(2) collect and diffuse information concerning the nature, causes, and prevention of mine accidents and the improvements of methods, conditions, and equipment of mines with special reference to health and safety and the conservation of mineral resources and the economic conditions respecting mining and the mining industry;

(3) promote the technical efficiency of all persons working in and about the mines of this state and to assist them to overcome the increasing difficulties of mining; ~~and~~

(4) submit any bills embodying legislation that the board may agree upon to the general assembly;

(5) assess and collect from underground coal mine operators the amount necessary to purchase and maintain underground mine rescue equipment for the bureau of mines and mine safety created under IC 22-1-1-4 and deposit the assessment in the mine safety fund established under IC 22-10-12-16; and
(6) annually report to the commissioner of the department of labor concerning any need for additional mine inspectors.

(b) The board shall mail written notice to underground coal mine operators of a meeting of the board at which assessments described in subsection (a)(5) are discussed.

SECTION 3. IC 22-10-12-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 16. **(a) The mine safety fund is established to provide funding for the purchase and maintenance of underground mine rescue equipment.**

(b) The department of labor shall administer the fund.



- 1 **(c) The fund consists of:**
2 **(1) assessments collected by the mining board under**
3 **IC 22-10-1.5-5(a)(5) and deposited into the fund; and**
4 **(2) interest from investments as accrued and deposited under**
5 **subsection (d).**
6 **(d) The treasurer of state shall invest the money in the fund not**
7 **currently needed to meet the obligations of the fund in the same**
8 **manner as other public money may be invested. Interest that**
9 **accumulates from these investments shall be deposited into the**
10 **fund.**
11 **(e) Money in the fund at the end of a state fiscal year does not**
12 **revert to the state general fund.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1553, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1553 as introduced.)

LIGGETT, Chair

Committee Vote: yeas 12, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1553 be amended to read as follows:

Page 2, between lines 9 and 10, begin a new line block indented and insert:

"(4) Administer the mine safety fund established under IC 22-10-12-16."

Page 2, line 27, delete "equipment;" and insert **"equipment for the bureau of mines and mine safety created under IC 22-1-1-4 and deposit the assessment in the mine safety fund established under IC 22-10-12-16; "**

Page 2, after line 32, begin a new paragraph and insert:

"SECTION 3. IC 22-10-12-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 16. (a) The mine safety fund is established to provide funding for the purchase and maintenance of underground mine rescue equipment.

(b) The department of labor shall administer the fund.

(c) The fund consists of:

- (1) assessments collected by the mining board under IC 22-10-1.5-5(a)(5) and deposited into the fund; and**
- (2) interest from investments as accrued and deposited under subsection (e).**

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accumulates from these investments shall be deposited into the fund.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund."

(Reference is to HB 1553 as printed February 7, 2003.)

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COMMITTEE REPORT

Mr. President: The Senate Committee on Pensions and Labor, to which was referred House Bill No. 1553, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, line 5, delete "(e)." and insert "**(d)**".

Page 3, delete lines 6 through 7.

Page 3, line 8, delete "(e)" and insert "**(d)**".

Page 3, line 13, delete "(f)" and insert "**(e)**".

and when so amended that said bill do pass.

(Reference is to HB 1553 as reprinted February 14, 2003.)

HARRISON, Chairperson

Committee Vote: Yeas 8, Nays 0.

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